

**REMARKS**

Claims 1 through 13 are pending in the application.

Applicants respectfully submit that this response does not raise new issues, but merely places the above-referenced application either in condition for allowance, or alternatively, in better form for appeal. Reexamination and reconsideration of this application, withdrawal of all rejections, and formal notification of the allowability of the pending claims are earnestly solicited in light of the remarks which follow.

**US 647 Does Not Constitute Prior Art**

Claims 1 through 13 stand rejected over United States Patent Application Publication No. 2007/0032647 ("US 647") to Parenky et al.

Applicants respectfully reiterate that US 647 does not constitute prior art against the above-referenced application. Applicants submit herewith a certified English translation of Italian parent Application MI 2004A000452, thereby perfecting Applicants' priority date of March 9, 2004. Applicants further respectfully make of record that there is clear support, both description and enablement, for the claimed invention set forth in the above-referenced Application-as-filed within parent MI 2004A000452, as evidenced by the attached translation. As kindly noted by the Examiner, the § 102(e) date of US 647 is October 15, 2004. Consequently, the priority date of the above-referenced Application pre-dates the earliest priority date to which US 452 is entitled.

Applicants thus respectfully submit that US 452 does not constitute prior art upon entry of the enclosed certified translation, and that the foregoing rejection has been obviated.

**CONCLUSION**

It is respectfully submitted that Applicants have made a significant and important contribution to the art, which is neither disclosed nor suggested in the art. It is believed that all of pending Claims 1 through 13 are now in condition for immediate allowance. It is requested that the Examiner telephone the undersigned if any questions remain to expedite examination of this application.

It is not believed that extensions of time or fees are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time and/or fees are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required is hereby authorized to be charged to Deposit Account No. 50-2193.

Respectfully submitted,



Cathy R. Moore  
Reg. No. 45,764

ProPat. L.L.C.  
425-C South Sharon Amity Road  
Charlotte, NC 28211-2841  
Telephone: (704) 365-4881  
Fax: (704) 365-4851  
Customer No. 38263

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office PAIR Webpage via the electronic filing system in accordance with 37 CFR § 1.6(a)(4) on September 16, 2010.



Cathy R. Moore